

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Jarrettsville Pike, 560' S
of the c/l of Sunnyview Drive
(13408 Jarrettsville Pike)
10th Election District
2nd Councilmanic District

Harold M. King, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-295-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 13408 Jarrettsville Pike, located in the vicinity of Blenheim Road in Phoenix. The Petition was filed by the owners of the property, Harold M. and Mary Jane King. The Petitioners seek relief from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 feet in lieu of the required 25 feet for a proposed three-car garage, 32' x 48' in dimension. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

Due to the size of the proposed structure and the Zoning Plans Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated February 27, 1996, the Zoning Commissioner deemed it necessary to hold a public hearing to determine the appropriateness of this variance request. The property was subsequently reposted and advertised and a hearing was held on April 16, 1996. Appearing at that hearing in support of the Petition were Harold and Mary Jane King, legal owners of the property. There were no Protestants.

Testimony and evidence offered revealed that the subject property consists of 0.56 acres, more or less, zoned R.C. 4 and is improved with a

ORDER RECEIVED FOR FILING
Date 4/13/96
By [Signature]

MICROFILM

single family dwelling, an attached garage, and a swimming pool. Mr. King testified that he built the house which exists on the property approximately 45 years ago and that the property originally belonged to his Great Grandfather. Mr. King is desirous of constructing a new three-car garage to the rear of the dwelling, as shown on Petitioner's Exhibit 1, and removing the existing garage from the south side of the dwelling to make way for driveway access to the new garage. The new garage would be attached to the dwelling via a new breezeway. Testimony indicated the size of the new garage is necessary to house a 31-foot travel trailer (mobile home), a boat on a 26-foot trailer and a car. Mr. King testified that he has spoken with his neighbors, none of whom have any objections to his plans.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 18th day of April, 1996 that the Petition for Administrative Variance seeking relief from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 feet in lieu of the required 25 feet for a proposed three-car garage (32' x 48' in dimension), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 18, 1996

Mr. & Mrs. Harold King
13408 Jarrettsville Road
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Jarrettsville Pike, 560' S of the c/l of Sunnyview Drive
(13408 Jarrettsville Pike)
10th Election District - 2nd Councilmanic District
Harold M. King, et ux - Petitioners
Case No. 96-295-A

Dear Mr. & Mrs. King:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

File



Petition for Administrative Variance

96-295-N

to the Zoning Commissioner of Baltimore County

for the property located at 13408 Jarrettsville Pike

which is presently zoned RC 4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A03.4.B2a (BCZR)

To permit a side yard setback of 12 feet in lieu of the required 25 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

I am building this garage to house a 31 ft. travel trailer, a boat on a 26 ft. trailer and a car. The vehicle that I pull my trailer with is 21 ft. long, my trailer is 31 ft. long - a total of 52 ft. It would be impossible to park my trailer in the garage with a 25 ft. setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No

City

State

Zipcode

Legal Owner(s):

Harold M. King

(Type or Print Name)

Signature

Mary Jane King

(Type or Print Name)

Signature

13408 Jarrettsville Pike 666-5866

Address

Phone No

Phoenix Maryland 21131

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 6 day of MARCH, 1996, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: R.T.

DATE: 2-6-96

ESTIMATED POSTING DATE: 2-18-96



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on Recycled Paper

ITEM #: 295

ORDER RECEIVED FOR FILING

Date

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 13408 Jarrettville Pike
address
Phoenix Maryland 21131
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty)

I am building this garage to house a 31 ft. travel trailer,
a boat on a 26 ft. trailer and a car. The vehicle that I
pull my trailer with is 21 ft. long, my trailer is 31 ft. -
a total of 52 ft. It would be impossible to park my
trailer in the garage with a 25 ft. setback.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Hawthorn King
(signature)

(type or print name)



Mary Jane King
(signature)

(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 5th day of Feb., 19 96, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

date

2/5/96

NOTARY PUBLIC

Martin J. Paul

My Commission Expires:

July 1996

96-295-A

ZONING DESCRIPTION

Zoning description for 13408 Jarrettsville Pike

Beginning at a point on the West side of Jarrettsville Pike which is 38 feet wide at the distance of 560 feet south of the center line of Sunnyview Road which is 30 feet wide containing 0.56 acres known as 13408 Jarrettsville Pike located in the 10th Election District and 2nd Councilmanic District South 2 degrees 51minutes West 80 feet and South 5 degrees 25 minutes West 11.70 feet thence leaving said road and running for lines of division the three following courses and distances, viz: North 75 degrees 51 minutes West 292.04 feet to a pipe, North 12 degrees 47 minutes East 80 feet to an iron bar and South 77 degrees 56 minutes East 276.70 feet to the place of beginning.

ITEM#295

UNRECORDED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10th Date of Posting April 1st, 1996
Posted for: CASE No. 96-295A
Petitioner: Harold A. & Mary J. King
Location of property: 13408 Ferrettsville Pike
Location of Signs: _____
Remarks: _____
Posted by DAVID TAYLOR Date of return: _____
Number of Signs: 1

Signature



APR 1 1996

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

March 21, 19*96*

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on *March 21*, 19*96*.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 118 of the County Office Building, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case: #86-288-A
(Item 295)
13408 Jarrettville Pike
W/S Jarrettville Pike, 560' S
of c/ Sunnyview Drive
10th Election District
2nd Councilmanic
Legal Owner(s):
Harold M. King and Mary Jane King

Variance: to permit a side yard setback of 12 feet in lieu of the required 25 feet.
Hearing: Tuesday, April 16, 1996 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 867-3363.
(2) For information concerning the File, and/or Hearing, Please Call 867-3361.

3/21/96 March 21

CS

96-295-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 10 Date of Posting _____

Posted for: Variance

Petitioner: Harold King, et al

Location of property: 13408 Jarrettville Pike

Location of Signs: _____

Remarks: _____

Posted by Mark Sawel Date of return: _____
Signature

Number of Signs: _____

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reservoir property line. The word "parcel" does not appear in BCZR Section 101. However, in the absence of a written definition in Section 101, the Board is required to go to the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged. In Webster's, numerous definitions for the word "parcel" exist; however, definitions 2a. and b. deal with possible definitions related to real property:

"2a: a continuous tract or plot of land in one possession no part of which is separated from the rest by intervening land in other possession b: a tract or plot of land whose boundaries are readily ascertainable by natural or artificial monuments or markers...."

According to Black's Law Dictionary, 6th Edition, 1990, Words and Phrases, as well as Words and Phrases Supplements, "parcel" is further defined as:

- Continuous quantity of land in possession of, owned by, or recorded as property of the same claimant, person or company.
- A "parcel of land" or "parcel of real property" means a continuous quantity of land in possession of, or owned by, or recorded as the property of, the same claimant, person or company.

- A continuous quantity of land in possession of, owned by or recorded as property of the same claimant, person or company. "Parcel of land" is synonymous with tract of land and does not have reference to size but to contiguous quantity of land.

Black's further indicates that "parcel" may be synonymous with the term "lot." The closest definition to the word "lot" in the BCZR is the term-phrase "lot of record" which reads:

"A parcel of land with boundaries as recorded in the land records of Baltimore County on the same date as the effective date of the zoning regulation which governs the use, subdivision, or other condition thereof."

It is this very issue which gives the Board pause. The Board finds

ADMINISTRATIVE VARIANCES

CLOSING DATE.....MARCH 1, 1996

Post by: 2/18/96

CASE NUMBER: 96-295-A (Item 295)

13408 Jarrettsville Pike

W/S Jarrettsville PIke, 560' S of c/l Sunnyview Drive

10th Election District - 2nd Councilmanic

Legal Owner: Harold M. King and Mary Jane King

Administrative Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

APPROVED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE 4/4/96 ACCOUNT Root-6150

AMOUNT \$ 35.00

RECEIVED FROM: Harold Kins, et ux

FOR: Reposting 96-295-A

DLA00W0167MICHRC \$35.00
BA COLL42AMD4-04-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No.

DATE 4/4/96 ACCOUNT Root-6150

AMOUNT \$ 35.00

RECEIVED FROM: Harold Kins, et ux

FOR: Reposting 96-295-A

DLA00W0167MICHRC \$35.00
BA COLL42AMD4-04-96

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER
VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE CO. CITY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

ITEM # 295
No. 013723

96-295-A

R-00-6150

DATE FEB 6, 1976 ACCOUNT

010 - VARIANCE - \$ 50.00

050 - SIGN - \$ 35.00

AMOUNT \$ 85.00

RECEIVED FROM: HAROLD M. KINGS

NOT RECORDED

FOR: RV (ADMIN.)

P.T.

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 295

Petitioner: HAROLD M. & MARYTANE KING

Location: 13408 JARRETTSVILLE PIKE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: HAROLD M. KING

ADDRESS: 13408 JARRETTSVILLE PIKE

PHOENIX MARYLAND 21131

PHONE NUMBER: 410 666 5866

AJ:ggs

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(Revised 04/09/93)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 14, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettsville Pike
W/S Jarrettsville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

HEARING: TUESDAY, APRIL 16, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Harold and Mary Jane King

- NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Printed with Soybean Ink
on Recycled Paper

Arnold Jablon
Director

cc: Harold and Mary Jane King



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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 15, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettsville Pike
W/S Jarrettsville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Harold and Mary Jane King





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 27, 1996

Harold M. King
Mary Jane King
13408 Jarrettsville Pike
Phoenix, MD 21131

RE: Item No.: 295
Case No.: 96-295-A
Petitioner: H. M. King, et ux

Dear Mr. and Mrs. King:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a faint, larger version of the same signature.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

FILED



TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #295 - King Property
13408 Jarrettsville Pike
Zoning Advisory Committee Meeting of February 20, 1996

KING/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: Feb. 26, 1996
Zoning Administration and Development Management

FROM: *[Signature]* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, 303
and 305

The Development Plans Review Division has reviewed
the subject zoning items and we have no comments.

RWB:sw

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Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF FEB. 20, 1996

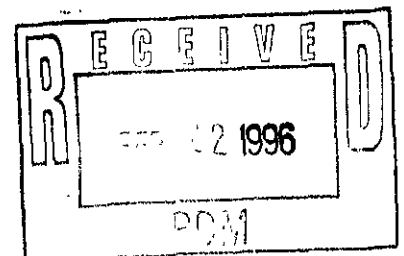
Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300,
301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 21, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 295, 296, 298, 300, 301, 303 and 304 .

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol Keller

PK/JL



**Maryland Department of Transportation
State Highway Administration**

David L. Winstead
Secretary
Hal Kassoff
Administrator

2-16-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 295 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance ~~is~~ ^{#146} onto MD/45 ^{#146} ~~is~~ ^{are} acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small

for

Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#295 --- RT

1. Notary section is incomplete.
2. What is correct zoning? Folder says D.R.-5.5, petition says R.C.-4.

#302 --- JLL

1. Receipt was not given to petitioner, still in folder.

MICROFILMED

96-1333



Baltimore County
Department of Permits and
Development Management

3/12/96
↑

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 13, 1996

Mr. & Mrs. Harold M. King
13408 Jarrettsville Pike
Phoenix, Maryland 21131

Re: CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettsville Pike
W/S Jarrettsville PIke, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Dear Petitioners:

It has been determined by the Zoning Commissioner's Office that this matter should be set in for public hearing. Formal notification of the hearing date will be forwarded to you shortly.

As you recall, it now becomes necessary that we repost the property and run notice of the hearing in a newspaper of general circulation.

The reposting charge in the amount of \$35.00 is now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

ARNOLD JABLON, DIRECTOR

AJ:ggs

rd 3/15/96
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ITEM#

THIS DEED, Made this *8th* day of *December* in the *95-2^c*
year nineteen hundred and forty-seven, by J. McKinley King and
Maude Ethel King, his wife, parties of the first part, Grantors,
to Harold M. King and Mary Jane King, his wife, parties of the
second part, Grantees, all of Baltimore County, in the State
of Maryland.

WITNESSETH, that in consideration of the sum of Five
Dollars and other good and valuable considerations, the receipt
whereof is hereby acknowledged, the said J. McKinley King and
Maude Ethel King, his wife, do hereby grant and convey unto the
said Harold M. King and Mary Jane King, his wife, to the sur-
vivor of them, their assigns, and to the heirs and assigns of
the survivor of them, as tenants by the entireties, in fee
simple, all that lot or parcel of land situate, lying and being
in the Tenth Election District of Baltimore County, State of
Maryland, and described as follows, according to a survey made
by Dollenberg Brothers, Surveyors and Civil Engineers, on or
about September 20, 1947:

BEGINNING for the same in the center of the Jarrettsville
Road at a point distant South 2 degrees 51 minutes West 87.20
feet from the beginning of the fourth line of a parcel of land
which by Deed dated September 8, 1943 and recorded among the
Land Records of Baltimore County in Liber R.J.S. No. 1308,
folio 31, was conveyed by James P. Kelley, unmarried, to J.
McKinley King and wife, and thence running with and binding on
a part of said fourth line and on a part of the fifth line of
said parcel of land and binding in the center of the Jarretts-
ville Road the two following courses and distances, viz: South
2 degrees 51 minutes West 80 feet and South 5 degrees 25 minutes

SUNSET

R.C. 4

VALEBROOK DR.

DRIVE

SUNNYVIEW

146

SUBJECT PROP.

R.

96-295-A

R.C. 4

ROAD

MICROFILMED

NE 18 C

1"=200'

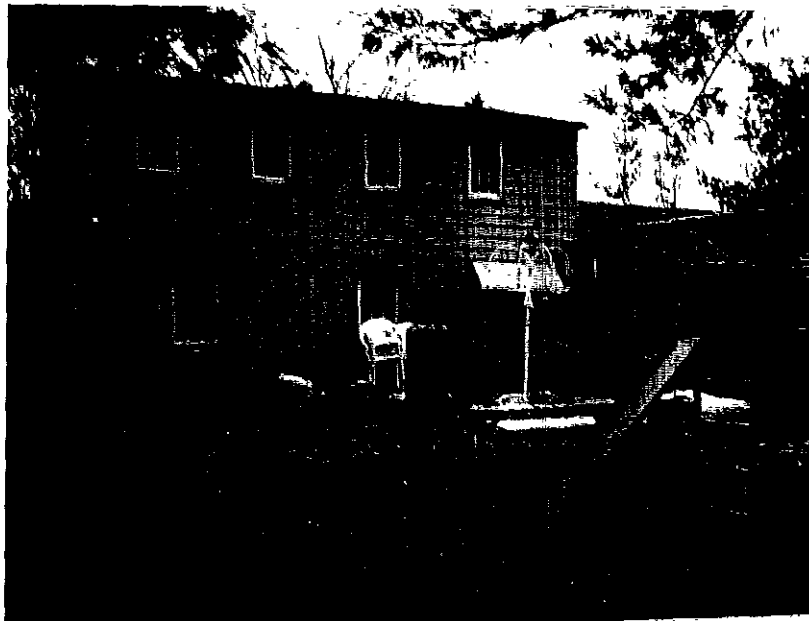
ITEM # 295

PIKE

PRIVATE



76-295-A
LOOKING WEST
@ NEW GARAGE SITE



WEST SIDE



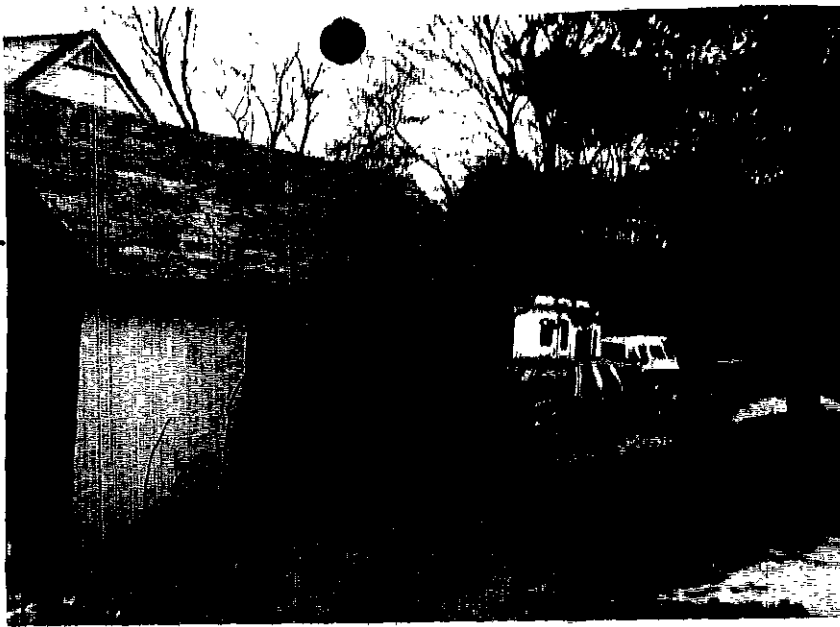
NORTH SIDE

ITEM # 295

13408 JARRETTSVILLE PIKE

96-295 A

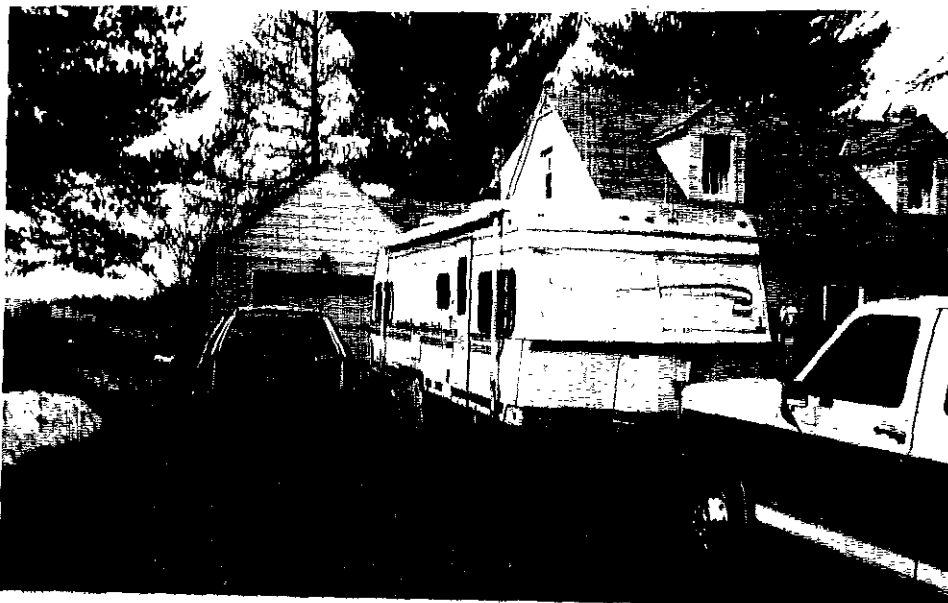
TO BE
RAZED —
(EX. GARAGE)



SOUTH SIDE



FRONT
EAST



FRONT
EAST

ITEM #295

13408 JARRETTSVILLE PIKE

96-295-A



NORTH SIDE



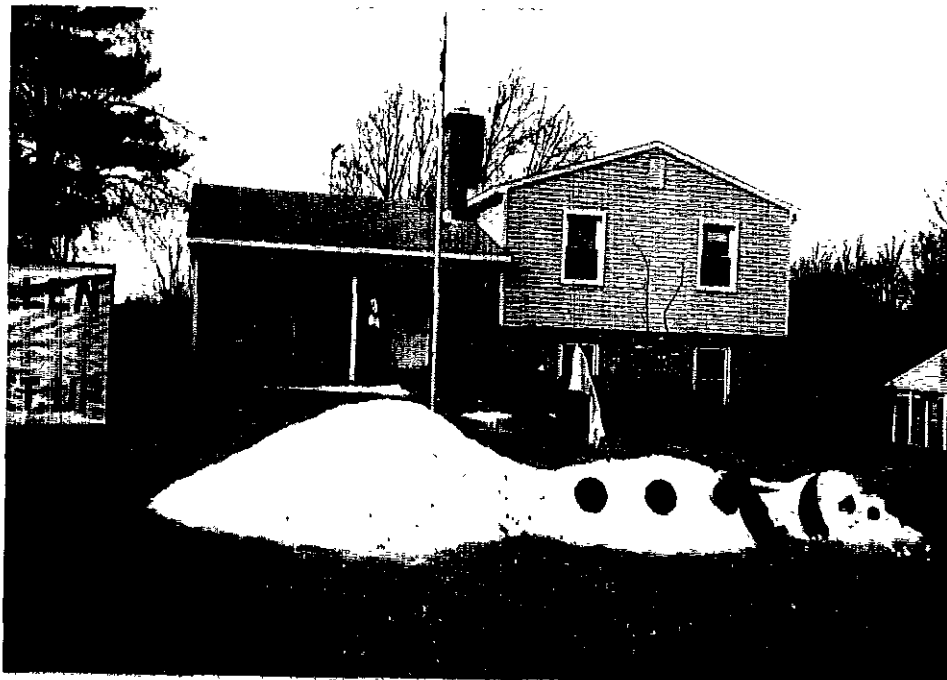
FRONT (EAST)

ITEM #295

13406 JARRETSVILLE PIKE



WEST & SOUTH

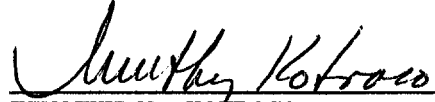


FRONT - EAST

ITEM# 295

13410 JARRETSVILLE PIKE

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/18/96
By [Signature]

APR 19 1996

TO: PUTUXENT PUBLISHING COMPANY

March 21, 1996 Issue - Jeffersonian

Please forward billing to:

Harold and Mary Jane King
13408 Jarrettsville Pike
Phoenix, MD 21131
666-5866

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-295-A (Item 295)

13408 Jarrettsville Pike

W/S Jarrettsville Pike, 560' S of c/l Sunnyview Drive

10th Election District - 2nd Councilmanic

Legal Owner: Harold M. King and Mary Jane King

Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

HEARING: TUESDAY, APRIL 16, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Given
Set in for
public hearing
in view of
DEPNM
comment ~~see~~

3/6/96
Bf

IN RE: PETITION FOR ADMIN. VARIANCE
W/S Jarrettsville Pike, 560' S
of the c/l of Sunnyview Drive
(13408 Jarrettsville Pike)
10th Election District
2nd Councilmanic District
Harold M. King, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-295-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Administrative Variance for that property known as 13408 Jarrettsville Pike, located in the vicinity of Blenheim Road in Phoenix. The Petition was filed by the owners of the property, Harold M. and Mary Jane King. The Petitioners seek relief from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 feet in lieu of the required 25 feet for a proposed three-car garage, 32' x 48' in dimension. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked as Petitioner's Exhibit 1.

Due to the size of the proposed structure and the Zoning Plans Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated February 27, 1996, the Zoning Commissioner deemed it necessary to hold a public hearing to determine the appropriateness of this variance request. The property was subsequently reposted and advertised and a hearing was held on April 16, 1996. Appearing at that hearing in support of the Petition were Harold and Mary Jane King, legal owners of the property. There were no Protestants.

Testimony and evidence offered revealed that the subject property consists of 0.56 acres, more or less, zoned R.C. 4 and is improved with a

single family dwelling, an attached garage, and a swimming pool. Mr. King testified that he built the house which exists on the property approximately 45 years ago and that the property originally belonged to his Great Grandfather. Mr. King is desirous of constructing a new three-car garage to the rear of the dwelling, as shown on Petitioner's Exhibit 1, and removing the existing garage from the south side of the dwelling to make way for driveway access to the new garage. The new garage would be attached to the dwelling via a new breezeway. Testimony indicated the size of the new garage is necessary to house a 31-foot travel trailer (mobile home), a boat on a 26-foot trailer and a car. Mr. King testified that he has spoken with his neighbors, none of whom have any objections to his plans.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

- 2 -

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of April, 1996 that the Petition for Administrative Variance seeking relief from Section 1A03.4.B.2.a of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 12 feet in lieu of the required 25 feet for a proposed three-car garage (32' x 48' in dimension), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order

- 3 -

has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING
Date 4/15/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 4/15/96
By [Signature]

ORDER RECEIVED FOR FILING
Date 4/15/96
By [Signature]

- 4 -

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

April 18, 1996

Mr. & Mrs. Harold King
13408 Jarrettsville Road
Phoenix, Maryland 21131

RE: PETITION FOR ADMINISTRATIVE VARIANCE
W/S Jarrettsville Pike, 560' S of the c/l of Sunnyview Drive
(13408 Jarrettsville Pike)
10th Election District - 2nd Councilmanic District
Harold M. King, et ux - Petitioners
Case No. 96-295-A

Dear Mr. & Mrs. King:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Administrative Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management Office at 887-3391.

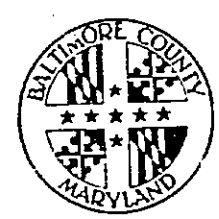
Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

[Signature]



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 13408 Jarrettsville Pike
which is presently zoned R.C. 4

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A03.4.B.2a (BCZR)

To permit a side yard setback of 12 feet in lieu of the required 25 feet.

or the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

I am building this garage to house a 31 ft. travel trailer, a boat on a 26 ft. trailer and a car. The vehicle that I pull my trailer with is 21 ft. long, my trailer is 31 ft. long - a total of 52 ft. It would be impossible to park my trailer in the garage with a 25 ft. setback.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Type or Print Name

Signature

Address

City

State

Zip Code

Attorney for Petitioner:

Type or Print Name

Signature

Address

Phone No.

City

State

Zip Code

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Harold M. King

[Signature]

Mary Jane King

[Signature]

Mary Jane King

[Signature]

13408 Jarrettsville Pike 566-5866

Phoenix Maryland 21131

City State Zip Code

Home Address and phone number of respondent(s) to be contacted:

Phoenix Maryland 21131

City State Zip Code

Address Phone No.

City State Zip Code

Address Phone No.

ORDER RECEIVED FOR FILING
Date 4/18/96
By [Signature]

RECEIVED BY RT DATE 2-6-96
ESTIMATED FILING DATE: 2-18-96

Printed with Soybean Ink
on Recycled Paper

ITEM # 295

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) do(es) presently reside at 13408 Jarrettsville Pike

Phoenix Maryland 21131
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

I am building this garage to house a 31 ft. travel trailer,
a boat on a 26 ft. trailer and a car. The vehicle that I
pull my trailer with is 21 ft. long, my trailer is 31 ft. -
a total of 52 ft. It would be impossible to park my
trailer in the garage with a 25 ft. setback.

That Affiant(s) acknowledge(s) that if a process is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

[Signature] *[Signature]*

Type or Print Name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 15th day of Feb, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her best knowledge and belief.

AS WITNESS my hand and Notary Seal.

7/1/96

NOTARY PUBLIC

My Commission Expires July 1996

ZONING DESCRIPTION

Zoning description for 13408 Jarrettsville Pike

Beginning at a point on the West side of Jarrettsville Pike which is 38 feet wide at the distance of 560 feet south of the center line of Sunnyview Road which is 30 feet wide containing 0.56 acres known as 13408 Jarrettsville Pike located in the 10th Election District and 2nd Councilmanic District South 2 degrees 51 minutes West 80 feet and South 5 degrees 25 minutes West 11.70 feet thence leaving said road and running for lines of division the three following courses and distances, viz: North 75 degrees 51 minutes East 292.04 feet to a pipe, North 12 degrees 47 minutes East 80 feet to an iron bar and South 77 degrees 56 minutes East 276.70 feet to the place of beginning.

ITEM # 295

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 15th Date of Posting: April 15, 1996
Posted for: Case No. 96-295-A
Petitioner: Harold M. King, et al.
Location of property: 13408 Jarrettville Pike
Location of Sign: _____
Remarks: _____
Posted by: David Taylor Date of return: _____
Number of Signs: 1

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 10 Date of Posting: _____
Posted for: Variances
Petitioner: Harold King, et al.
Location of property: 13408 Jarrettville Pike
Location of Sign: _____
Remarks: _____
Posted by: Michael Dawel Date of return: _____
Number of Signs: _____

Baltimore County Government
Office of Zoning Administration
and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

Cell John
ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 745
Petitioner: HAROLD M. & MARY JANE KING
Location: 13408 JARRETTVILLE PIKE
PLEASE FORWARD ADVERTISING BILL TO:
NAME: HAROLD M. KING
ADDRESS: 13408 JARRETTVILLE PIKE
PHOENIX MARYLAND 21131
PHONE NUMBER: 410 666 5866

Aggs

(Revised 04/09/93)

TO: PUTTEND PUBLISHING COMPANY
March 21, 1996 Issue - Jeffersonian

Please forward billing to:

Harold and Mary Jane King
13408 Jarrettville Pike
Phoenix, MD 21131
666-5866

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettville Pike
W/S Jarrettville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

HEARING: TUESDAY, APRIL 16, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

CERTIFICATE OF PUBLICATION

TOWSON, MD. March 21, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 21, 1996.

THE JEFFERSONIAN,

A. H. HARRISON
LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE: 96-295-A (Item 295)
13408 Jarrettville Pike
W/S Jarrettville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King
Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.
HEARING: TUESDAY, APRIL 16, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

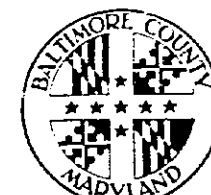
LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are handicapped accessible; for special accommodations please call 887-3353.
(2) For information concerning the file and/or hearing, please call 887-3391.
2015 March 21

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 4/4/96 ACCOUNT: 96-295-A
AMOUNT: \$ 25.00
RECEIVED FROM: HAROLD KING, et al.
FOR: Posting 96-295-A
VALIDATION OR SIGNATURE OF CASHIER: _____
WHITE - CUSTOMER PINK - AGENCY YELLOW - CUSTOMER

BALTIMORE CO., MD., MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: FEB 6 1996 ACCOUNT: 96-295-A
AMOUNT: \$ 25.00
RECEIVED FROM: HAROLD KING
FOR: RV (ADJUDIC)
VALIDATION OR SIGNATURE OF CASHIER: _____
WHITE - CUSTOMER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 14, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettville Pike
W/S Jarrettville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Variance to permit a side yard setback of 12 feet in lieu of the required 25 feet.

HEARING: TUESDAY, APRIL 16, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Cell John
Arnold Jablon
Director

cc: Harold and Mary Jane King

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 15, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettville Pike
W/S Jarrettville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

1) Your property will be posted on or before February 18, 1996. The closing date (March 4, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be posted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$50.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Cell John
Arnold Jablon
Director

cc: Harold and Mary Jane King



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

February 27, 1996

Harold M. King
Mary Jane King
13408 Jarrettville Pike
Phoenix, MD 21131

RE: Item No.: 295
Case No.: 96-295-A
Petitioner: H. M. King, et ux

Dear Mr. and Mrs. King:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on February 6, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (Zoning Commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
February 27, 1996
FROM: J. Lawrence Pilson
Development Coordinator, DEPRM
SUBJECT: Zoning Item #295 - King Property
13408 Jarrettville Pike
Zoning Advisory Committee Meeting of February 20, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Agricultural Preservation Program

This petition raises concerns. Although this lot was created prior to RC-4, and thus the size is legal, this proposal will result in a substantial amount of impervious surfaces. The RC-4 Regulations provide for a limit of 10% impervious areas.

JLP:WLS
KING/DEPRM/TXTS8P

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for February 26, 1996
Items 294, 295, 296, 298, 299, 300, 301, 302, 303
and 304

The Development Plans Review Division has reviewed the subject zoning items and we have no comments.

RWB:sw

700 East Joppa Road
Towson, MD 21286-3500

Baltimore County Government
Fire Department



Office of the Fire Marshal
(410) 887-4880

DATE: 02/20/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

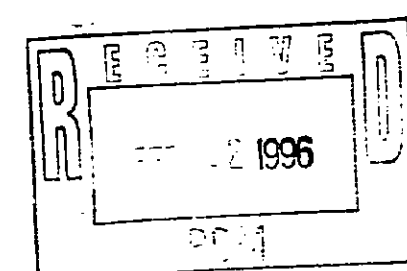
Location: DISTRIBUTION MEETING OF FEB. 20, 1996

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 294, 295, 296, 298, 299, 300, 301, 302 & 304.



REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: February 21, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 295, 296, 298, 300, 301, 303 and 304

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: [Signature]

PK/JL

ITEM295/PZONE/ZAC1



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 295 (RT)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance onto MD 46 is acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Please contact Bob Small at 410-333-1350 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
Ronald Burns, Chief
Engineering Access Permits
Division

BS

My telephone number is
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

PETITION PROBLEMS

#295 -- RT

- Notary section is incomplete.
- What is correct zoning? Folder says D R -5-5, petition says R.C.-4.

#302 -- JLL

- Receipt was not given to petitioner, still in folder.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

March 13, 1996

Mr. & Mrs. Harold M. King
13408 Jarrettsville Pike
Phoenix, Maryland 21131

Re: CASE NUMBER: 96-295-A (Item 295)
13408 Jarrettsville Pike
W/S Jarrettsville Pike, 560' S of c/l Sunnyview Drive
10th Election District - 2nd Councilmanic
Legal Owner: Harold M. King and Mary Jane King

Dear Petitioners:

It has been determined by the Zoning Commissioner's Office that this matter should be set in for public hearing. Formal notification of the hearing date will be forwarded to you shortly.

As you recall, it now becomes necessary that we repost the property and run notice of the hearing in a newspaper of general circulation.

The reposting charge in the amount of \$35.00 is now due. Your check in this amount should be made payable to "Baltimore County, Maryland" and immediately mailed to this office.

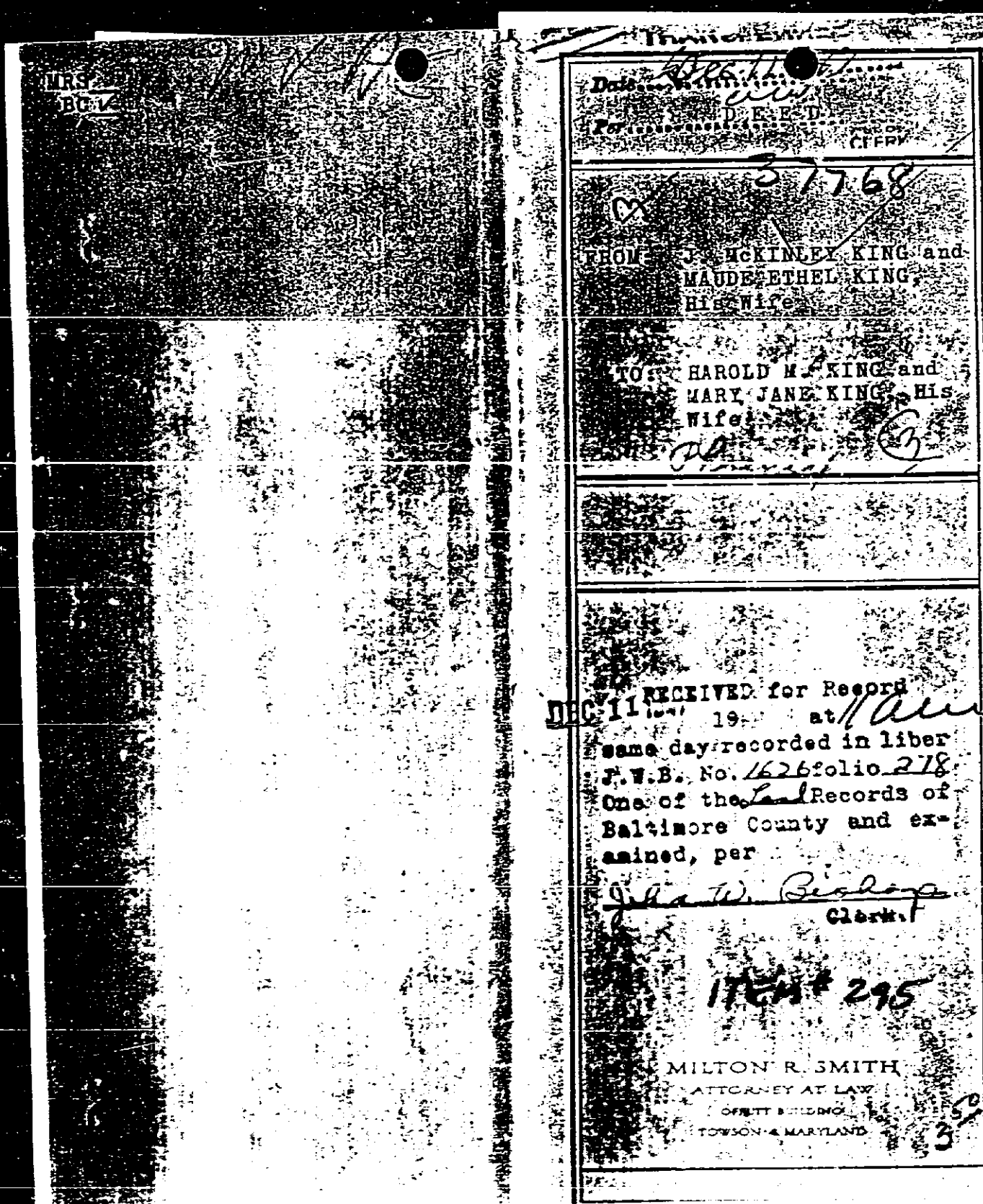
Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

If you have any questions concerning this letter, you may contact Gwen Stephens at 887-3391.

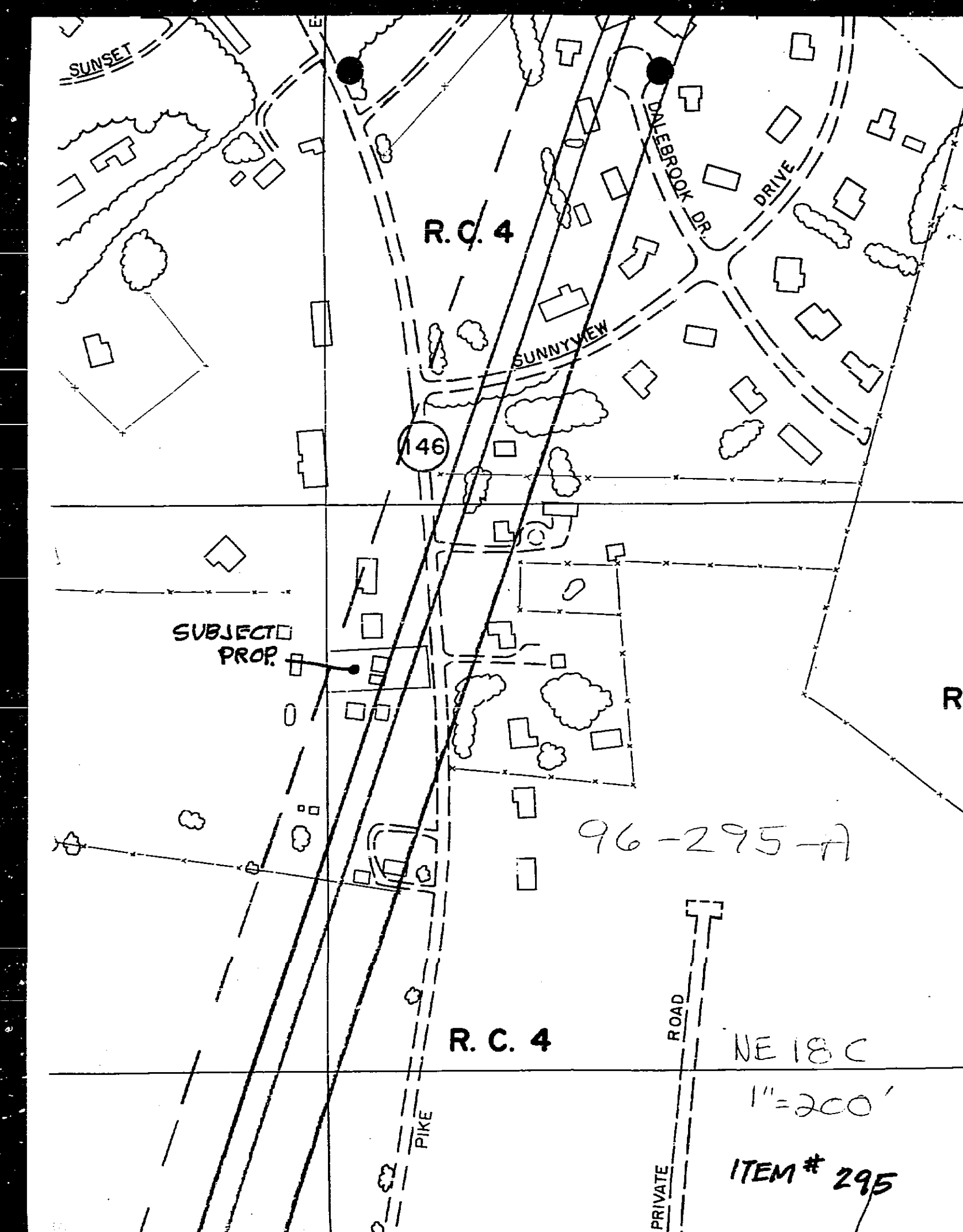
ARNOLD JABLON, DIRECTOR

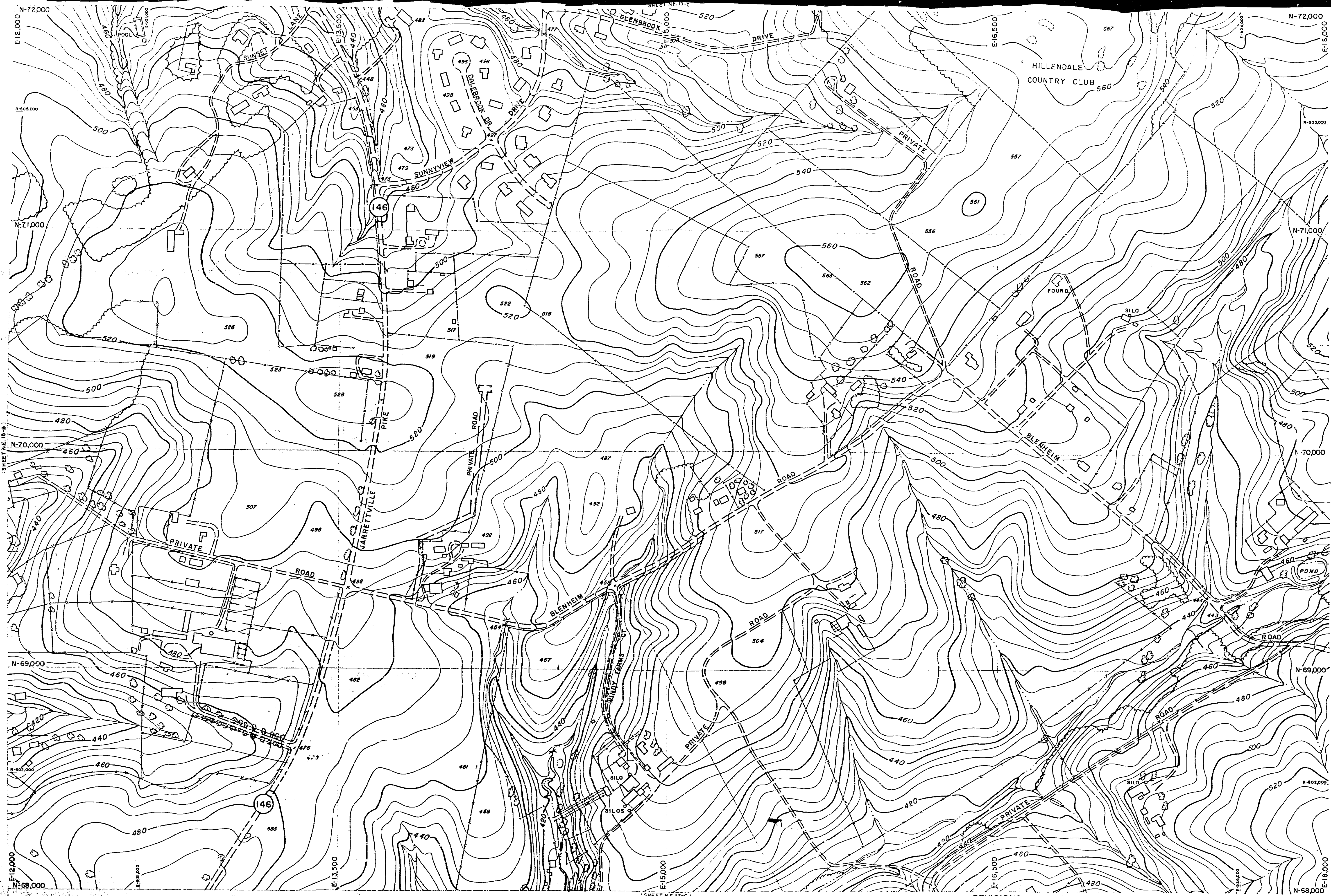
AJ:eggs

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on Recycled Paper



Folio 31, was conveyed by James P. Kelley, unmarried, to J. McKinley King and wife, and thence running with and binding on a part of said fourth line and on a part of the fifth line of said parcel of land and binding in the center of the Jarrettsville Road the two following courses and distances, viz: South 2 degrees 51 minutes West 80 feet and South 5 degrees 25 minutes





U - SW U - SE
U - NW U - NE

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY, MARYLAND

REVISIONS
BY DATE
SCALE
1" = 200'
DATE OF
PHOTOGRAPHY
APRIL 1958
LOCATION
WEST OF BLENHEIM
ITEM# 295
96-295-A
SHEET
N.E.
18-C

Topography Compiled By Photogrammetric Methods
MAPS, INCORPORATED - BALTIMORE 22, MARYLAND



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE
1" = 200' ±
DATE
OF
PHOTOGRAPHY
JANUARY
1986

LOCATION
ITEM #295
WEST OF BLENHEIM

SHEET
N. E.
18-C

96-295-A